

As an initial matter, Applicants note the Office Action Summary of Paper No. 6 indicated that claims 1-10 and 12-27 were pending and rejected. However, in Applicants' previous Amendment filed April 21, 2004, claims 2, 11, and 18-27 were canceled and claims 28-30 were added. Hence, as indicated above, claims 1, 3-10, 12-17, and 28-30 are currently pending.

The Summary also indicated the Figures filed Aug. 17, 2000 were objected to. However, Applicants filed a Letter with Proposed Drawing Changes and corrected drawings with Paper No. 6. The corrected drawings included the designation --Prior Art-- as required by Paper No. 6. Hence, Applicants respectfully request that the Examiner acknowledge the receipt of the corrected drawings in a communication in reply to this Request.

Applicants also again note that an Information Disclosure Statement was filed on February 4, 2004. Applicants resubmitted the I.D.S. with the appropriate fee with the previous Amendment filed April 21, 2004. Hence, Applicants again request that the Examiner return a signed and initialed copy of the PTO-1449 form with her next communication.

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Claims 1, 3-10 and 12-17 remain rejected under 35 U.S.C. § 102(a) as purportedly anticipated by Kojima (U.S. Pat. Appln. No. 20010012435). The Office Action maintains that Kojima teaches every feature of the claimed invention. Applicants again respectfully traverse.

Applicants first address the invention of independent claim 1 from which claims 3, 7-10, 14, and 15 depend. Independent claim 1 concerns an audio visual data recording apparatus. The apparatus includes a combination of (i) an AV file management means and (ii) a recording area recording means. The AV file management means stores data placement information on a recording area that has been overwritten repeatedly in the AV file management table. By this feature, the AV file which repeatedly is overwritten is made to store a relation between a recording area of the recording medium and the AV file. Thus, a data portion in a recording area, which has discontinuity in terms of time because of overwritten recording, is made to be managed as an AV file which does have continuity in terms of time. Kojima neither teaches nor

fairly suggests this feature.

The Office Action asserts that Kojima, at column 1, lines 12-17 and column 2, lines 42-47, describes the AV file management means of claim 1. However, Applicants respectfully disagree. Nowhere does Kojima suggest, to those of ordinary skill in the art, a file management means that stores data placement information on the recording area that has been repeatedly overwritten in the AV file management table, as recited in claim 1.

Independent claim 12, from which claims 13, 16 and 17 depend, concerns an audio visual data recording method. The method includes the use of an AV file management means similar to that described in claim 1. Hence, for the same reasons stated above with respect to claim 1, Kojima also neither teaches nor fairly suggests each feature of the method recited in claim 12.

Applicants now turn to independent claim 4 from which claims 5-10, 14, 15, and 28-30 depend. Independent claim 4 also concerns an audio visual data recording apparatus. The apparatus of claim 4 includes an AV file management means. The AV file management means manages the AV file on the basis of at least the AV file maximum size within the AV file management table. By the this feature, since repeated recording is performed on an AV data recording area that is managed as an AV file, the area allotted for repeated recording is managed as an individual AV file. The user can thus easily manage the repeatedly overwritten recording area.

The Office Action asserts that Kojima, at column 1, lines 12-17 and column 1, lines 4-15 describes the AV file management means of claim 4. However, Kojima neither teaches nor fairly describes an AV file management means for managing the AV file on the basis of at least the AV file maximum size within the AV file management table. What Kojima discloses is selecting a part of AV data that are repeatedly recorded on an AV data recording area on the hard disk and separately recording such as an AV file. However, this teaching of Kojima does not describe a structure for managing an AV data recording area that is repeatedly overwritten as an AV file.

For the reasons discussed above, Applicants submit that Kojima fails to teach or fairly describe each and every feature of the independent claims. Hence, the above remarks overcome this rejection and withdrawal of the rejection is respectfully requested.

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Applicants respectfully submit that this Request for Reconsideration and the above remarks obviate the outstanding rejections in this case, thereby placing the application in condition for immediate allowance. Allowance of this application is earnestly solicited.

If any fees are due in connection with the filing of this Request for Reconsideration, such as fees under 37 C.F.R. §§ 1.16 or 1.17, please charge the fees to our Deposit Account No. 02-4300; Order No. 033216.052.

Respectfully submitted,

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